

August 14, 2017

**VIA ELECTRONIC MAIL**

Michael J. Wilhelm  
Acting Chief, Policy and Licensing Division  
Public Safety and Homeland Security Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Release of Additional 800 MHz Public Safety Spectrum  
WT Docket No. 02-55

Dear Mr. Wilhelm:

This office is counsel to the Government Wireless Technology & Communications Association (“GWTCA”), a non-profit trade association created to advocate on behalf of government and non-government users of wireless technology and communications in the public service industries, such as public transit.

GWTCA’s membership includes government agencies, manufacturers, engineers and consultants working on a variety of issues impacting represented users. As government agencies and transit operators are significant users of 800 MHz spectrum, GWTCA has a significant interest in ensuring the continued availability of spectrum for their use.

As part of the Commission’s action in WT Docket No. 02-55, the Commission, upon completion<sup>1</sup> of 800 MHz rebanding in a region, releases 800 MHz

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<sup>1</sup> “Completion” does not necessarily mean that licensees have completed all tasks associated with rebanding, including the submission of final costs by licensees. *Public Safety and Homeland Security Bureau and Wireless Telecommunications Bureau Announce the Completion of 800 MHz Band*

frequencies vacated by Sprint Nextel Corporation that were not utilized for rebanding.<sup>2</sup> In doing so, the Commission has the ability to release “new” NPSPAC frequencies separately from Expansion Band and Guard Band frequencies.

The last Commission release of 800 MHz NPSPAC frequencies was in December of 2016.<sup>3</sup> That release of spectrum, and previous releases, brought needed spectrum relief for government agencies throughout those areas. In addition, those spectrum releases began the “clock” for the eventual release of those same frequencies that remain vacant for eventual use in three years for critical infrastructure applicants and in five years for other business entities.

At this time, approximately sixteen regions remain unreleased. While GWTCa understands that those regions bordering Mexico are not yet ripe for release, GWTCa urges the Commission to release new 800 MHz NPSPAC frequencies in all of the other remaining areas where it appears that rebanding has been completed.

Specifically, GWTCa requests the immediate release of unused new 800 MHz NPSPAC frequencies in the following regions:

- Arkansas (4)
- Northern California (6)
- Florida (9)
- Mississippi (23)
- Ohio (33)
- Oklahoma (34)
- Texas – Dallas (40)
- Washington State (43)
- Texas – Austin (49)
- Texas – San Antonio (53)

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*Reconfiguration in Certain NPSPAC Regions and the Availability of Additional Sprint Vacated Channels*, WT Docket No. 02-55, DA 16-1362, released December 9, 2016.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

While there may be specific reasons that each of these regions have not been declared completed that are not readily apparent, the Commission should review whether such issues truly necessitate the continued withholding of spectrum, or whether the “completion” criteria previously announced by the Commission is sufficient to allow the release of spectrum without adverse consequences.

GWTCA’s request is based upon the experience of its members and non-members in finding access to additional spectrum in the impacted areas. In addition, the impact is also felt by existing licensees which find the need to modify their transmitter sites, which often results in the expansion of a contour in one direction. The modification, in turn, requires a time-consuming waiver for a region where there is truly no impact, as every rebanding 800 MHz licensee has already been licensed for their new channels, and infrastructure work has been completed.

There is also a secondary impact on non-public safety eligible entities, which are forced to wait longer and longer for access to spectrum to meet their needs.

GWTCA looks forward to working with the Commission on making long-promised 800 MHz spectrum available for all entities.

Sincerely,

Alan S. Tilles, Esquire  
Counsel to the  
Government Wireless Technology  
& Telecommunications Association